

REMARKS

Claims 1-27 are pending in the application and the same are rejected. By this Amendment, claim 23 is cancelled and claim 1 is amended. Accordingly, claims 1-22 and 24-27 remain in the application and are presented for review and further consideration by the Examiner.

The Examiner has rejected claim 23 under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. (Examiner's Action, page 2).

In response, Applicant has canceled claim 23.

The Examiner has rejected claims 1-3, 5, 7, 12-14 and 24-25 under 35 U.S.C. §103(a) as being unpatentable over LoBiondo, et al., U.S. Patent No. 5,305,199, in view of Coons, et al., U.S. Patent No. 6,832,250. (Examiner's Action, page 3).

As to claims 24 and 25, Applicant respectfully disagrees.

In addition, Applicant has amended independent claim 1 to clarify that it is the price for each printing device replaceable component that is based on the historical printing device usage of the customer's printing devices. It is not merely the total price for all of the printing device replaceable components together that is based on the historical printing device usage of the customer's printing devices.

Coons discloses tracking usage data for reprographic machines for monitoring inventories of supplies. The usage data may be aggregated and supplied to a billing company for generating an invoice based on the aggregated usage data. The invoice may be for consumables ordered for the reprographic machines. By definition, the invoice will include a total price for the consumables. The total price for the consumables is arrived at by multiplying the quantity of consumables by the price of each consumable. However, nothing in Coons discloses or suggests that the price of a consumable is calculated as a function of the aggregated usage data. As the aggregated usage data is directly

reflects the quantity of consumables, it is the quantity of consumables that is calculated as a function of the aggregated data. The quantity is clearly not the price. Since Coons does not disclose calculating the price of a reprographic device consumable where the price is a function of aggregated usage data, Coons also does not disclose calculating the price of a printing device replaceable component, the price being a function of the historical printing device usage.

In contrast, Applicant's independent claim 1, as amended, and independent claim 24, include wording that the price of a printing device replaceable component is calculated and the price is a function of the historical printing device usage. Since neither Coons nor LoBiondo discloses calculating the price of a printing device replaceable component as a function of the historical printing device usage, neither Coons nor LoBiondo discloses this limitation.

The Examiner has rejected claim 4 under 35 U.S.C. §103(a) as being unpatentable over LoBiondo, et al., U.S. Patent No. 5,305,199, in view of Coons, et al., U.S. Patent No. 6,832,250, as applied to claims 1-3, 5, 7, 12, and 13, and further in view of Dictionary of Business Terms. (Examiner's Action, page 8).

Applicant respectfully disagrees.

As discussed above, neither Coons nor LoBiondo discloses determining a price for each printing device replaceable component based on the historical printing device usage of the customer's printing devices.

The Examiner has rejected claim 6 under 35 U.S.C. §103(a) as being unpatentable over LoBiondo, et al., U.S. Patent No. 5,305,199, in view of Coons, et al., U.S. Patent No. 6,832,250, as applied to claims 1-3, 5, 7, 12, and 13, and further in view of Official Notice. (Examiner's Action, page 8).

Applicant respectfully disagrees.

As discussed above, neither Coons nor LoBiondo discloses determining a price for each printing device replaceable component based on the historical printing device usage of the customer's printing devices.

The Examiner has rejected claims 8 and 10 under 35 U.S.C. §103(a) as being unpatentable over LoBiondo, et al., U.S. Patent No. 5,305,199, in view of Coons, et al., U.S. Patent No. 6,832,250, as applied to claims 1-3, 5, 7, 12, and 13, and further in view of Bardenheuer, et al., U.S. Patent No. 6,084,953. (Examiner's Action, page 9).

Applicant respectfully disagrees.

As discussed above, neither Coons nor LoBiondo discloses determining a price for each printing device replaceable component based on the historical printing device usage of the customer's printing devices.

The Examiner has rejected claims -, 11, 15 and 26-27 under 35 U.S.C. §103(a) as being unpatentable over LoBiondo, et al., U.S. Patent No. 5,305,199, in view of Coons, et al., U.S. Patent No. 6,832,250, as applied to claims 1-3, 5, 7, 12, and 13, and further in view of Official Notice. (Examiner's Action, page 11).

Applicant respectfully disagrees.

As discussed above, neither Coons nor LoBiondo discloses determining a price for each printing device replaceable component based on the historical printing device usage of the customer's printing devices.

The Examiner has rejected claims 16 and 19-20 under 35 U.S.C. §102(e) as being anticipated by Coons, et al., U.S. Patent No. 6,832,250. (Examiner's Action, page 14).

Applicant respectfully disagrees.

As discussed above, Coons does not disclose determining a price for each printing device replaceable component based on the historical printing device usage of the customer's printing devices. Therefore, Coons also does not disclose a pricing module configured to calculate a price of a printing device

replaceable component for sale to a customer, the price being dependent upon the customer's historical printing device usage.

The Examiner has rejected claim 17 under 35 U.S.C. §103(a) as being unpatentable over Coons, et al., U.S. Patent No. 6,832,250, in view of Hirst, et al., U.S. Patent No. 5,930,553. (Examiner's Action, page 18).

Applicant respectfully disagrees.

As discussed above, Coons does not disclose a pricing module configured to calculate a price of a printing device replaceable component for sale to a customer, the price being dependent upon the customer's historical printing device usage.

The Examiner has rejected claim 21 under 35 U.S.C. §103(a) as being unpatentable over Coons, et al., U.S. Patent No. 6,832,250, in view of Dictionary of Business Terms. (Examiner's Action, page 19).

Applicant respectfully disagrees.

As discussed above, Coons does not disclose a pricing module configured to calculate a price of a printing device replaceable component for sale to a customer, the price being dependent upon the customer's historical printing device usage.

The Examiner has rejected claim 22 under 35 U.S.C. §103(a) as being unpatentable over Coons, et al., U.S. Patent No. 6,832,250, in view of Official Notice. (Examiner's Action, page 19).

Applicant respectfully disagrees.

As discussed above, Coons does not disclose a pricing module configured to calculate a price of a printing device replaceable component for sale to a customer, the price being dependent upon the customer's historical printing device usage.

The Examiner has rejected claims 16, 18-19 and 23 under 35 U.S.C. §103(a) as being unpatentable over Coons, et al., U.S. Patent No. 6,832,250, in view of Bardenheuer, et al., U.S. Patent No. 6,084,953. (Examiner's Action, page 21).

Applicant respectfully disagrees.

As discussed above, Coons does not disclose a pricing module configured to calculate a price of a printing device replaceable component for sale to a customer, the price being dependent upon the customer's historical printing device usage.

The Examiner has rejected claim 17 under 35 U.S.C. §103(a) as being unpatentable over Coons, et al., U.S. Patent No. 6,832,250, in view of Bardenheuer, et al., U.S. Patent No. 6,084,953, as applied to claim 16, and further in view of Hirst, et al., U.S. Patent No. 5,930,553. (Examiner's Action, page 24).

Applicant respectfully disagrees.

As discussed above, Coons does not disclose a pricing module configured to calculate a price of a printing device replaceable component for sale to a customer, the price being dependent upon the customer's historical printing device usage.

The Examiner has rejected claim 21 under 35 U.S.C. §103(a) as being unpatentable over Coons, et al., U.S. Patent No. 6,832,250, in view of Bardenheuer, et al., U.S. Patent No. 6,084,953, as applied to claim 16, and further in view of Dictionary of Business Terms. (Examiner's Action, page 25).

Applicant respectfully disagrees.

As discussed above, Coons does not disclose a pricing module configured to calculate a price of a printing device replaceable component for sale to a customer, the price being dependent upon the customer's historical printing device usage.

The Examiner has rejected claim 22 under 35 U.S.C. §103(a) as being unpatentable over Coons, et al., U.S. Patent No. 6,832,250, in view of Bardenheuer, et al., U.S. Patent No. 6,084,953, as applied to claim 16, and further in view of Official Notice. (Examiner's Action, page 26).

Applicant respectfully disagrees.

As discussed above, Coons does not disclose a pricing module configured to calculate a price of a printing device replaceable component for sale to a customer, the price being dependent upon the customer's historical printing device usage.

In view of Applicant's arguments and amendments with respect to independent claims 1, 16, and 24 being allowable, Applicant respectfully submits that the remaining dependent claims are also allowable because they contain all of the limitations of their respective independent claims and further add structural and functional limitations.

The foregoing amendments and arguments are believed to be a complete response to the most recent Examiner's Action.

No new matter has been added.

It is respectfully submitted that there is no claim, teaching, motivation, or suggestion in any of the prior art cited, alone or in combination, to produce what Applicant claims.

It is further submitted that the application, as amended, defines patentable subject matter and that the claims are in a condition for allowance. Such allowance at an early date is respectfully requested.

Should any issues remain which would preclude the prompt disposition of this case, it is requested that the Examiner contact the undersigned practitioner by telephone.

Respectfully submitted,  
Margo N. Whale

By   
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Date 6/08/2005  
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